

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

ANGELO FERGUSON,  
Plaintiff,  
v.  
MJ34 WRITE-UP, et al.,  
Defendants.

Case No.: 2:24-cv-02024-RFB-DJA

**ORDER**

**I. DISCUSSION**

On November 20, 2024, this Court ordered Plaintiff Angelo Ferguson to file a signed complaint and either pay the full \$405 filing fee or file a complete application to proceed *in forma pauperis* (“IFP”) with all three required documents on this Court’s approved form. (ECF No. 6). The Court gave Plaintiff until January 17, 2025, to comply. (*Id.*) Plaintiff timely filed a signed complaint. (ECF No. 8). He also filed a financial certificate, but it is not a complete IFP application, is on the wrong court’s form, and isn’t signed by a prison official. (ECF No. 7). The Court denies Plaintiff’s incomplete IFP application and grants him a second opportunity to address the matter of the filing fee.

Plaintiff is reminded that for an inmate to apply for IFP status, that is, to proceed without prepaying the filing fee, he must submit the following three documents to the Court: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**; (2) a completed **Financial Certificate**; and (3) a copy of the **inmate’s prison trust fund account statement for the previous six-month period**.

But when inmates have difficulty obtaining the required financial certificate and inmate account statement from prison officials, this Court has required them to complete and file the first three pages of the IFP application along with a declaration demonstrating that the plaintiff has done all that is possible to get the required financial documents from prison officials. If Plaintiff chooses this option, his declaration must include dates he

1 requested his financial documents from prison officials, dates of his follow-up requests,  
2 names of the prison officials he spoke to about the matter, and their responses. If  
3 Plaintiff's filing demonstrates that he has done all that was possible to obtain his financial  
4 documents from prison officials the Court will consider his IFP application to be complete.

## 5 **II. CONCLUSION**

6 It is therefore ordered that Plaintiff's incomplete application to proceed *in forma*  
7 *pauperis* (ECF No. 7) is denied without prejudice.

8 It is further ordered that Plaintiff has **until March 14, 2025**, to accomplish one of  
9 the following tasks: (1) pay the full \$405 filing fee; (2) file a new fully complete application  
10 to proceed *in forma pauperis* with all three required documents; or (3) complete and file  
11 the first three pages of the *in forma pauperis* application along with a declaration detailing  
12 the efforts that Plaintiff took to acquire the financial certificate and inmate account  
13 statement from prison officials.

14 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if  
15 he fails to timely comply with this order.

16 The Clerk of the Court is kindly directed to send Angelo Ferguson the approved  
17 form application to proceed *in forma pauperis* for an inmate with instructions.

18 DATED: February 12, 2025



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20 DANIEL J. ALBRECHTS  
21 UNITED STATES MAGISTRATE JUDGE  
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